

PUBLIC INFORMATION SESSION:
Old Fall River Road Landfill
Dartmouth, MA

Massachusetts Unlined Landfill Closure Policy

March 28, 2013

Mark Dakers, Acting Solid Waste Section Chief
Massachusetts Department of Environmental Protection

MassDEP

Massachusetts Department of Environmental Protection

23 Acre Unlined Uncapped Landfill

MassDEP Oversight

- Unilateral Order (August 2009)
 - Landfill excavated without approval
 - Landfill not assessed or closed in accordance with Solid Waste Management Regulations
- Enforcement Conference (June 2011)
 - Owner presented with Administrative Consent Order setting forth landfill closure requirements
- Enforcement Negotiations (2012-2013)
 - Boston Environmental Corporation proposing to cap and close Landfill on owner's behalf under MassDEP's Unlined Landfill Closure Policy

MassDEP's Unlined Landfill Closure Policy

- Provides guidance on permitting process
- Establishes standards for materials and projects to ensure compliance and to promote consistency
- Allows use of certain materials for grading and shaping at old landfills prior to capping
 - suitable soils
 - construction and demolition fines and residuals
 - street sweepings, catch basin cleanings, coal ash and dredge

General Principles

MassDEP determines:

- If proposal meets appropriate closure requirements
- Types and quantities of materials **shall not**:
 - Significantly Add to public health, safety or environment concerns
 - Significantly Increase the concentration of contaminants in leachate
 - Significantly Increase the toxicity or quantities of landfill gas released
 - Significantly Increase nuisance conditions such as noise, dust or odor at the site

Regulatory Process under MassDEP's Policy

1. Proponent submits conceptual closure plan
 - MassDEP determines if closure plan consistent with policy
2. Proponent holds public informational meeting & presents conceptual closure plan (here tonight)
 - 21 day public comment
 - proponent responds to comments and/or modifies proposal to render it acceptable
3. Proposal may or may not go forward

Administrative Consent Order

- Closure Components & Deadlines
 - Assessment
 - Corrective action design
 - Financial Assurance Mechanism
 - Final cover system
 - 30 year post closure monitoring and maintenance
 - Stipulated Penalties

Landfill Assessment & Closure Plans

- Landfill is further assessed for impacts(groundwater, surface water, soil, sediments, landfill gas, and air)
- Closure plan
 - Final landfill configuration
 - Capping system
 - Waste relocation/consolidation
 - Storm water, erosion, dust, and odor controls
 - Types and amounts of materials, testing
 - Types and number of trucks and travel routes
 - Operation and maintenance plan (equipment, operating hours etc.)

Where to send comments?

Massachusetts Department of Environmental Protection

20 Riverside Drive

Lakeville, MA 02347

Attention: Mark Dakers, Acting Chief

Solid Waste Management Section

E-mail: Mark.Dakers@state.ma.us , Fax: 508-947-6557, Tele: 508-946-2847

Resources:

- Closure Activities at Inactive Unlined Landfill Sites:
<http://www.mass.gov/dep/recycle/laws/cdguid.htm>
- 310 CMR 19.000 Solid Waste Management Regulations:
<http://www.mass.gov/dep/recycle/laws/regulati.htm#sw>
- Policy #COMM-97-001: Reuse & Disposal of Contaminated Soil at Massachusetts Landfills: <http://www.mass.gov/dep/recycle/laws/97-001.htm>
- MassDEP's presentation and public comment postings
<http://www.mass.gov/dep/about/region/southeas.htm>